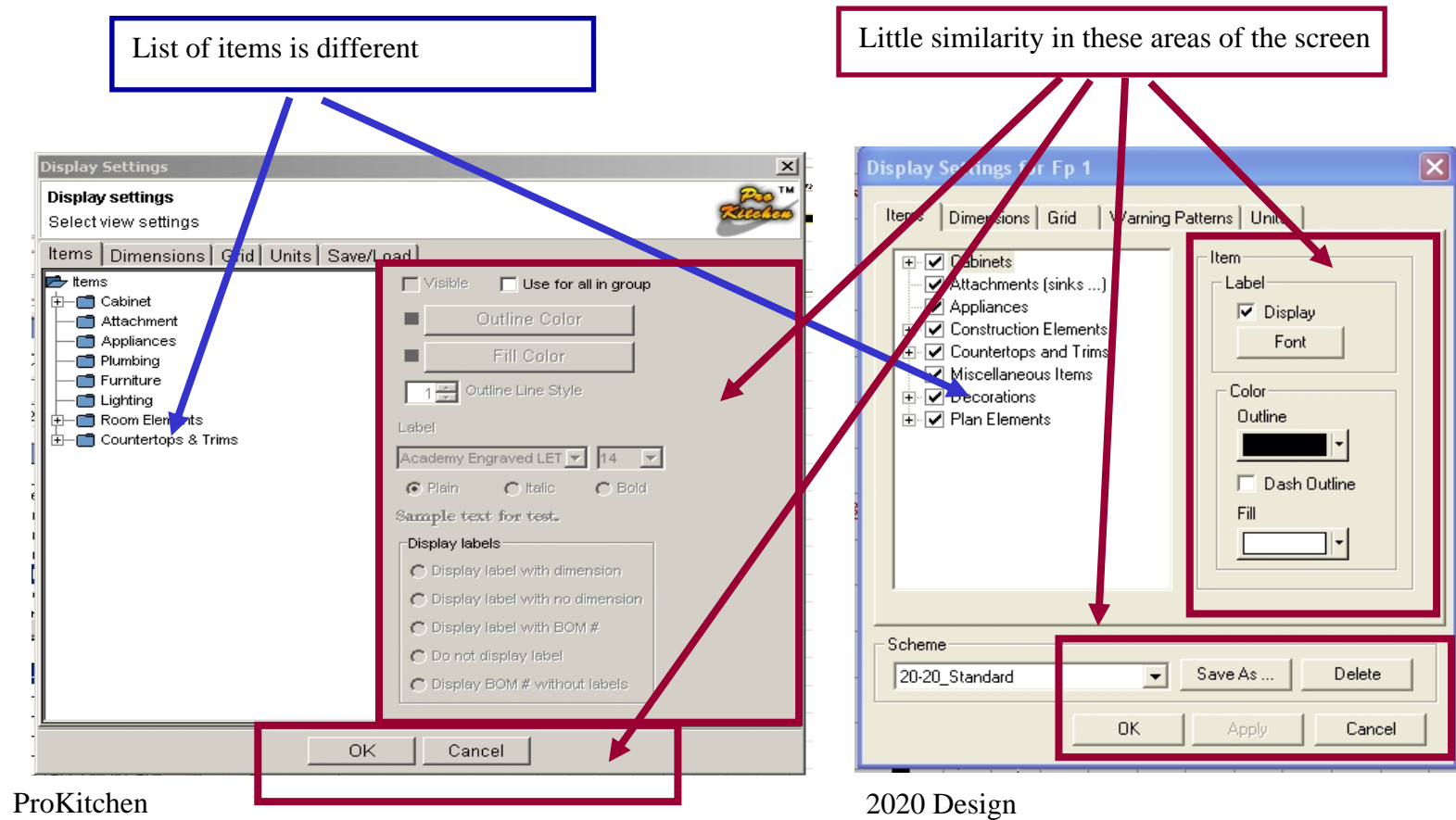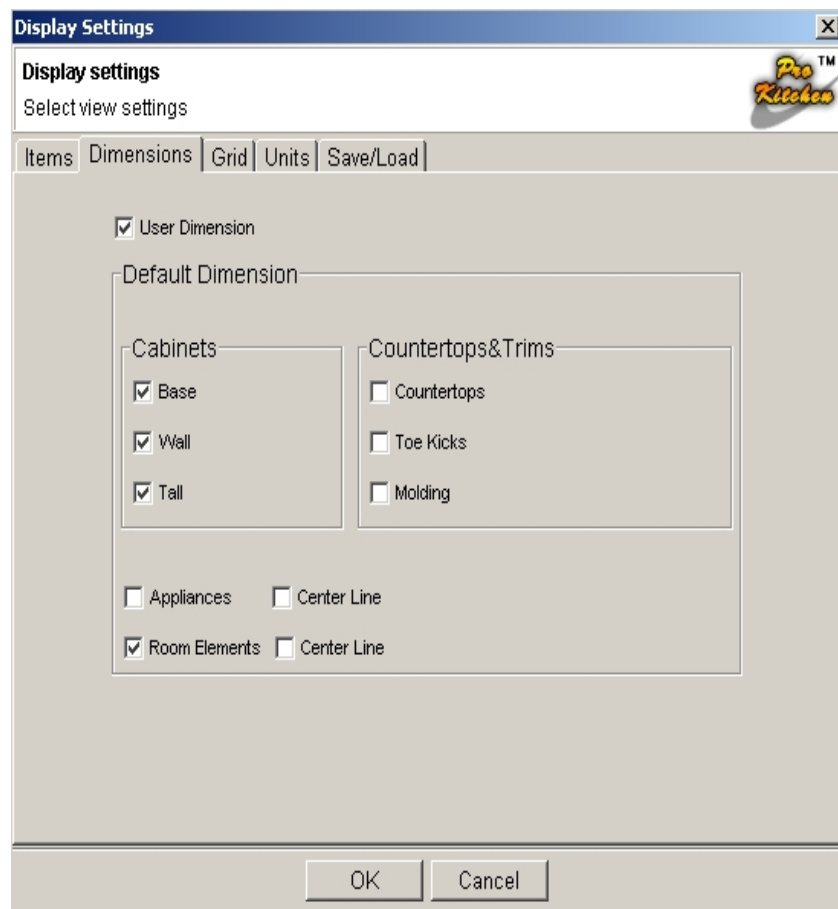**Display settings box – items tab**   **Davis Report, Item 18**

In paragraphs 39 - 43 Dr. Davis compares the two dialog windows that allow the user to change various settings in the programs. The two screens are below are standard Windows dialog boxes (the buttons, fonts, and general appearance are based on Windows). The only similarities between the images is the tabs labeled Items, Dimensions, Grid, and Units. The list of items in each window contains things that are necessary in a kitchen design program, such as Cabinets and Appliances. The buttons at the bottom of the screens are standard Windows buttons and operations: Save, Delete, OK and Cancel.

List of items is different

Little similarity in these areas of the screen

ProKitchen   2020 Design

Display settings box – dimensions tab   **Davis Report, Item 19**

Dr Davis asserts that the dialog boxes under the Dimensions tab are similar. These boxes are displayed below. Again, apart from the Items, Dimensions, and Grid Tabs, and the standard Windows buttons (such as "OK", "Cancel"), the screens are dissimilar

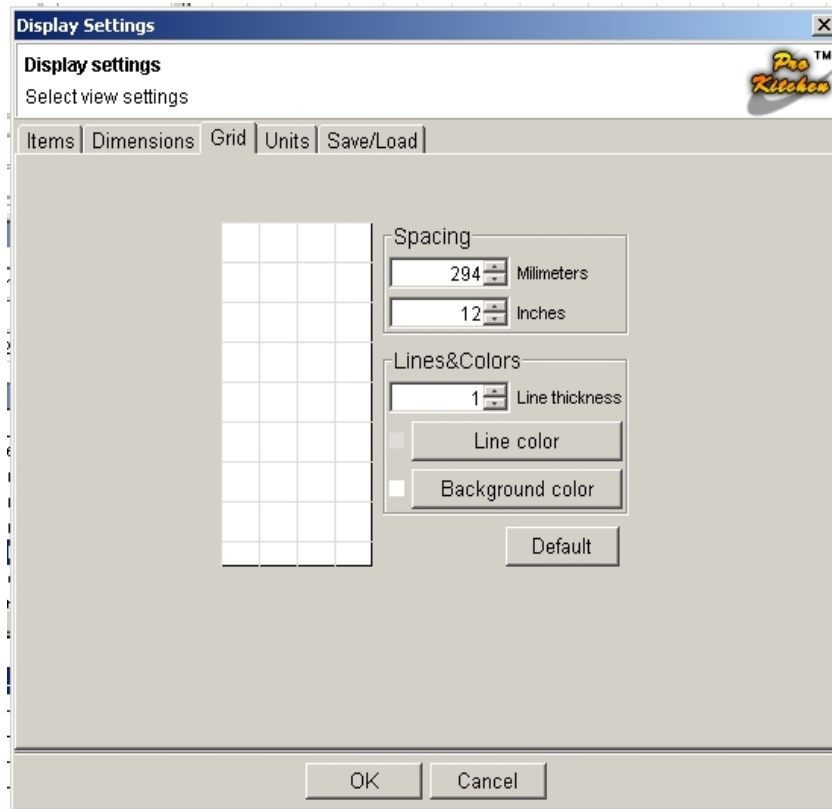ProKitchen   20-20 Design
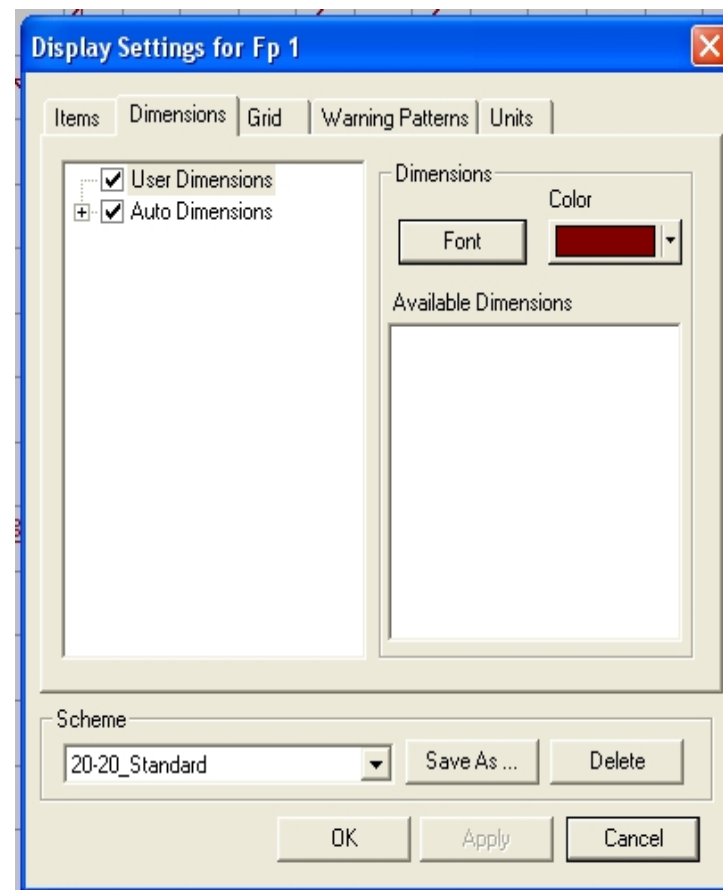
Display setting box – grid tab   **Davis Report, Item 20**

The same observations as above apply here.

The ability to change the line color and the background color of the work area grid is standard in design software. There are no other easily accessible terms to these functions. Both programs place these functions in the area where settings for the grid are displayed.

Apart from the characteristics common to Microsoft Windows software, there are no other similarities between the screens, and their overall appearance are dissimilar.
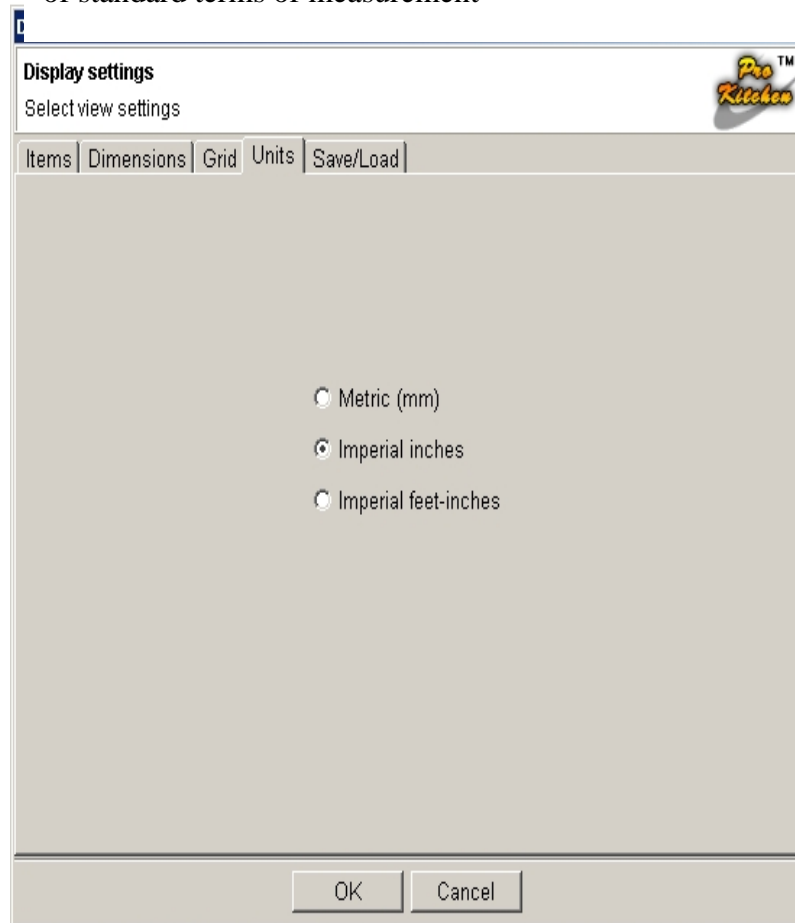

ProKitchen
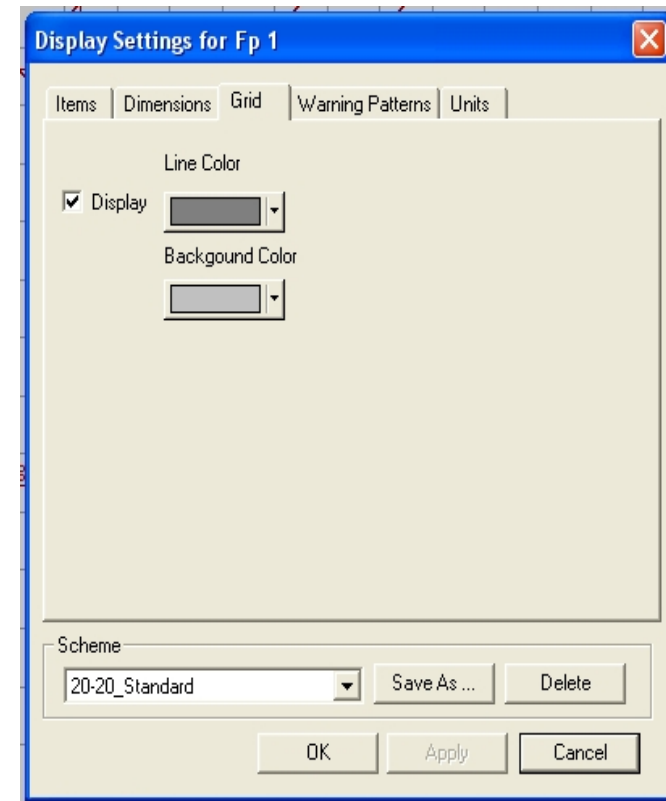
20-20 Design

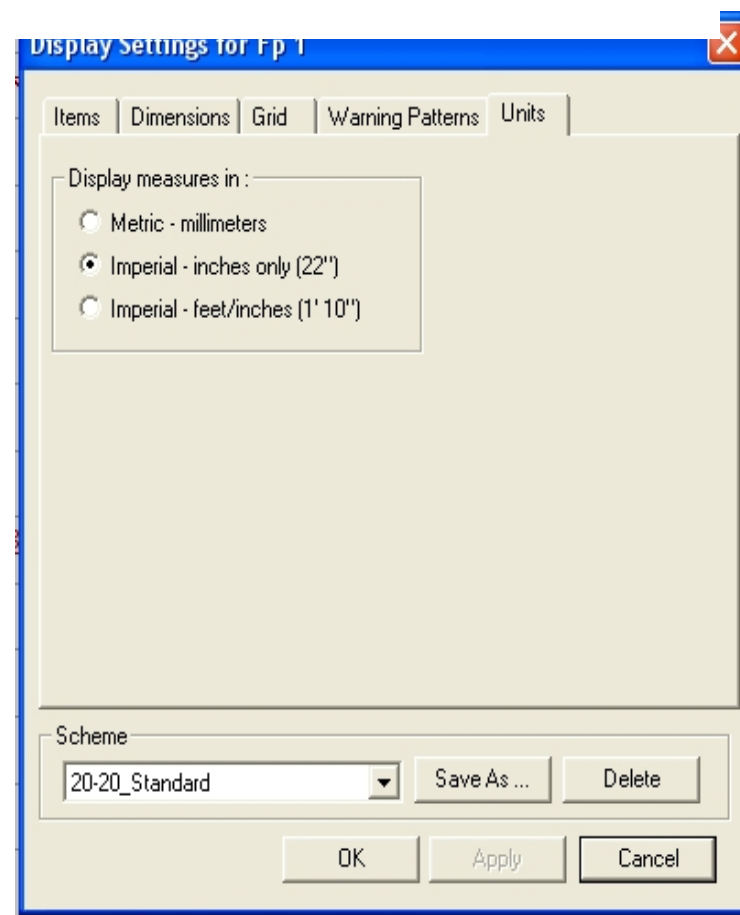**Display setting box – units tab**   **Davis Report, Item 21**

Dr. Davis compares the dialog boxes where the user can set the unit of measurement (Metric, millimeters, Inches and Feet)

As can be seen below, these boxes are dissimilar, apart from the characteristics associated with Windows and the use of standard terms of measurement

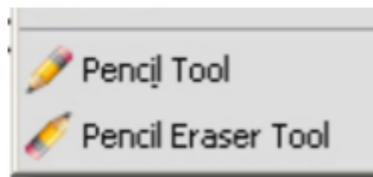ProKitchen   20-20 Design

Wall draw icons (pencil design)   **Davis Report, Item 22**

The "idea" of using the image of a pencil as a drawing icon is common. Examples from Google SketchUp and Adobe Acrobat (two very popular programs) are below. 20-20 Design and ProKitchen both use the idea of a pencil, but the actual icons are dissimilar, as shown below. In addition, the "pencil" icons in 20-20 Design and ProKitchen do not perform the same function.   The 20-20 Design icons allow the user to select a line style (real line or construction line) and then select the "line draw" icons to actually draw with type of line. In ProKitchen, the icons combine this into one step – by clicking on the icon the user selects the line style and is able to begin creating the line, without any further action.

In paragraph 45 Dr. Davis states that the term "construction line is not a standard term of art".

To the contrary, as illustrated below, this is indeed a standard term, and a standard feature of a computer aided design software. This term and feature is also used in AutoCAD

<http://www.cadinfo.net/icad/conline.htm>

CAD Construction Lines

Creating geometry for mechanical parts and buildings always involves defining some imaginary lines. They can be references for setout and dimensions, or indications of clearance and swept paths. These lines do not define edges or planes or symbolize pipework or anything else that is, or will be real. These lines are 'construction' lines, used solely as reference geometry.

Placement zone feature   **Davis Report, Item 27**

In paragraph 48-49, Dr. Davis states that both programs make use of a feature called a "placement zone", illustrated on the right.
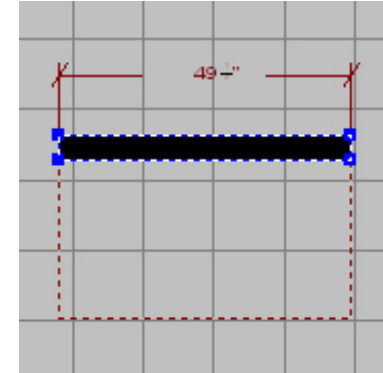
Dr Davis describes "placement zone" as:

"A zone connected to a wall "intended to facilitate the placement of objects….. up against the walls."

A "placement zone" is an idea or feature of the software, that is, the idea of creating a zone in which objects have certain "behavioral" properties.
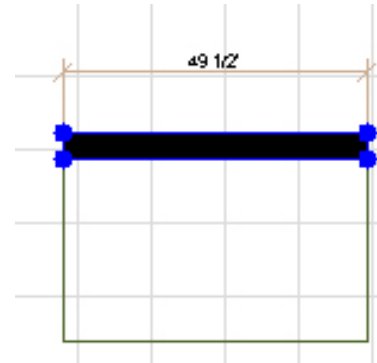
ProKitchen   2020

In these two images, which are copied from Dr. Davis' Report, the heavy black lines represent a wall. Above the walls is a measurement, indicating the length of the wall (in this case 49 1/2 inches, or units). The "placement zone" is indicated by the thin solid line below the wall in the ProKitchen image, and the dashed red line below the wall in the 20-20 image.
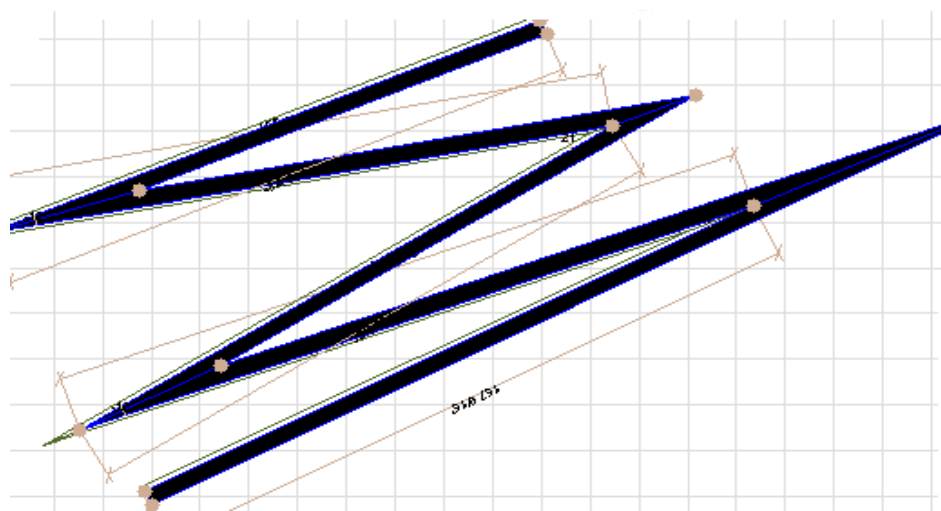
Sequence of mouse clicks to draw a wall   **Davis Report, Item 27**

This Series of lines and angles was drawn in ProKitchen by dragging and clicking the mouse.

In paragraph 50 Dr. Davis states that "clicking the right mouse allows the user to change the orientation of the wall without changing its length; clicking right again allows changing the length…."

First, this is incorrect: ProKitchen does not fix the wall length – the user may change the length and the orientation (or angle) at the same time. This feature is different in ProKitchen and 20-20 Design.

Second, this feature is purely functional, depending solely on a series of mouse clicks to manipulate an object on the screen.

Sequence of mouse clicks to draw a wall   **Davis Report, Item 27**
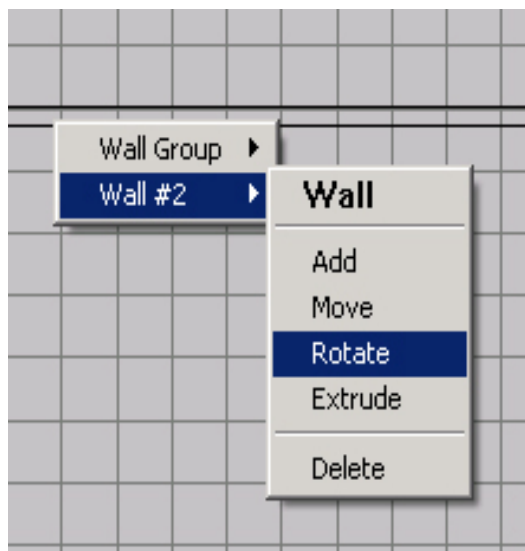
In paragraph 50 Dr. Davis states: "In both [programs], one wall segment can be ended and another started by clicking the left mouse".

This is true – however, it is a common feature. The three sided image on the right is from Revit Architecture, a popular design program owned by Autodesk (publisher of AutoCAD). This image was drawn in Revit starting in the lower left-hand corner and using exactly this technique – left clicks only.
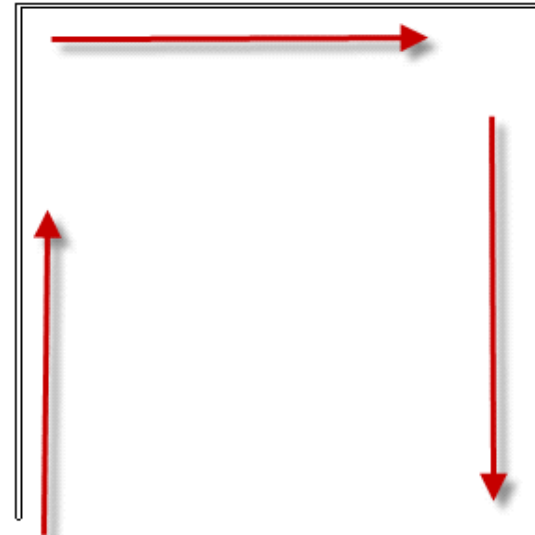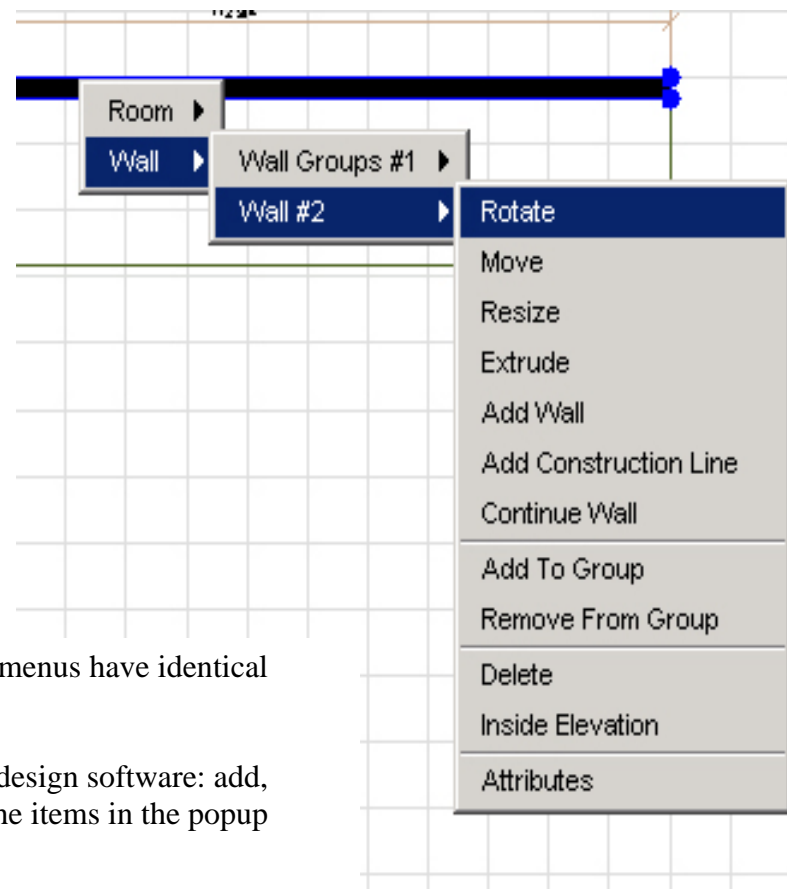
Menu to edit a wall   **Davis Report, Item 28**

20-20 Design wall edit menu   ProKitchen wall edit menu

In paragraph 51, Dr. Davis asserts that the wall edit menus have identical structure.

The commands Dr. Davis identified are standard in design software: add, move, and rotate are common commands. Most of the items in the popup menu are different.

Presentation of "wall groups"   **Davis Report, Item 29**

In paragraph 52, Dr. Davis notes that the concept "Wall Group" is present in both programs and has a similar menu choice with the right mouse click.

The commands Dr. Davis identified are standard in design software: add, move, and rotate are common commands.

In addition, ProKitchen uses the concept of a "group" of objects, and extends it to include not only walls, but cabinets and other objects. A group of objects can be saved, and put into other designs (a feature that 20-20 Design does not allow). Revit Architecture has a similar idea, and calls it a "chain of walls" – however, it seemed awkward to Real View to refer to a chain of cabinets (for example), and therefore Real View used the term "group" to apply to all objects that could be identified, copied, rotated, and moved in this manner.
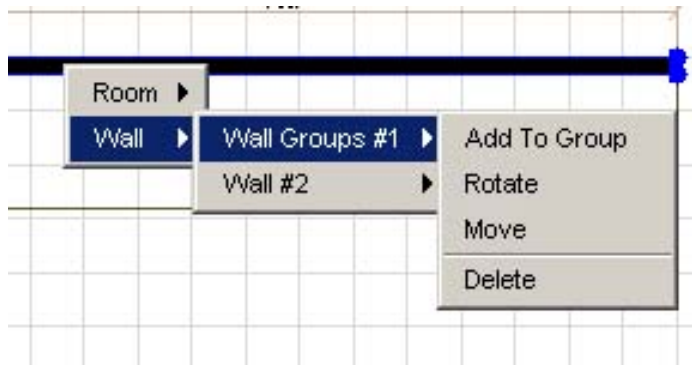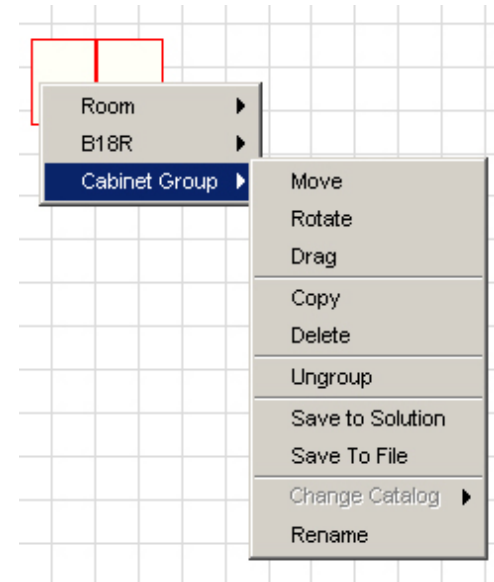
2020 Design Wall Group
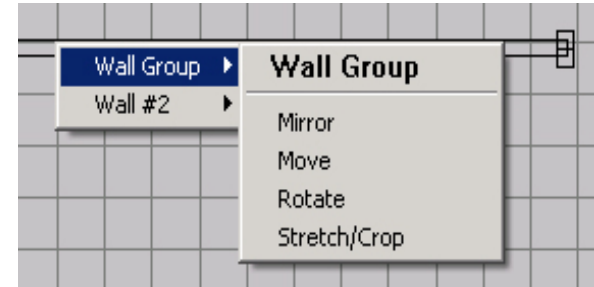
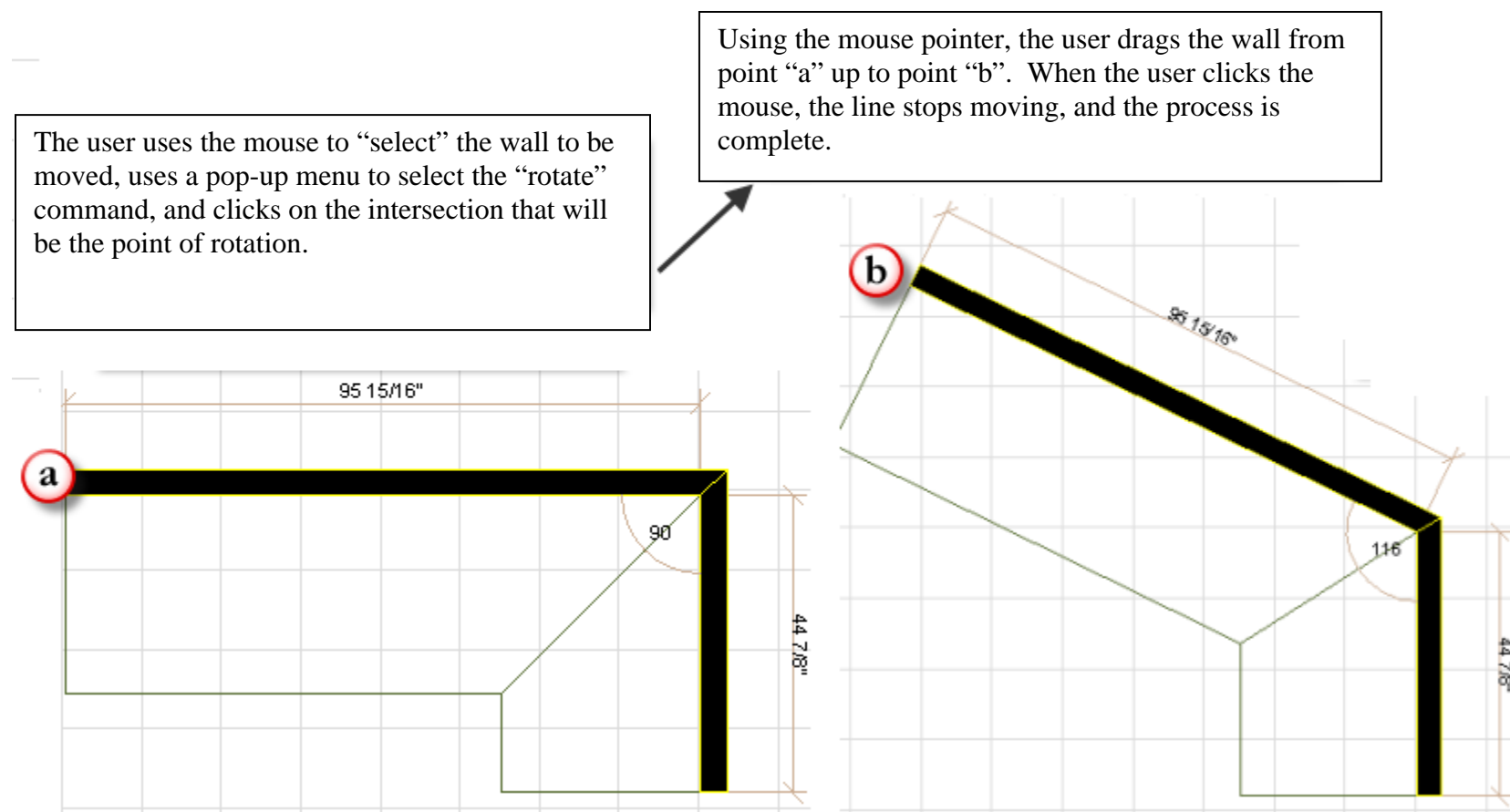ProKitchen, Cabinet Group

ProKitchen, Wall group

Rotating a wall with a mouse   **Davis Report, Item 30**

In paragraph 53 Dr. Davis states that walls are rotated similarly in 20-20 Design and ProKichen.
Image below illustrate the process of rotating a wall. It is purely functional feature depending only on a series of mouse clicks.

Using the mouse pointer, the user drags the wall from point "a" up to point "b". When the user clicks the mouse, the line stops moving, and the process is complete.

The user uses the mouse to "select" the wall to be moved, uses a pop-up menu to select the "rotate" command, and clicks on the intersection that will be the point of rotation.

95 15/16"

a

90

44 7/8"

b

95 15/16°

116

44 7/8"

Wall properties menu   **Davis Report, Item 31**

The Wall Attribute Dialog for ProKitchen is shown to the right
The Wall Properties Dialog for 2020 Design is shown below.

In paragraph 54, Dr. Davis states that the dialog boxes used to select and
arrange the properties of walls are similar.

As can be seen, not only are the presentations different (there are three 20-20
Design screens (below) and only one ProKitchen screen (to the right), but the
information is basic to the application: the height and thickness of the wall,
and whether the wall is inside the placement zone. Although both software
programs allow the user to present the same factual information regarding the
properties of a wall, they are arranged and presented differently.

ProKitchen
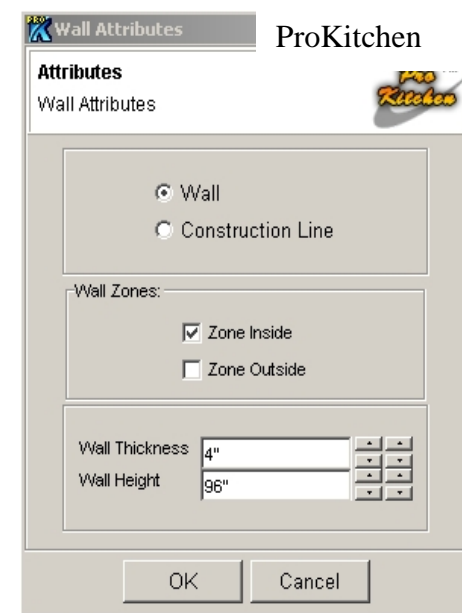
2020 Design
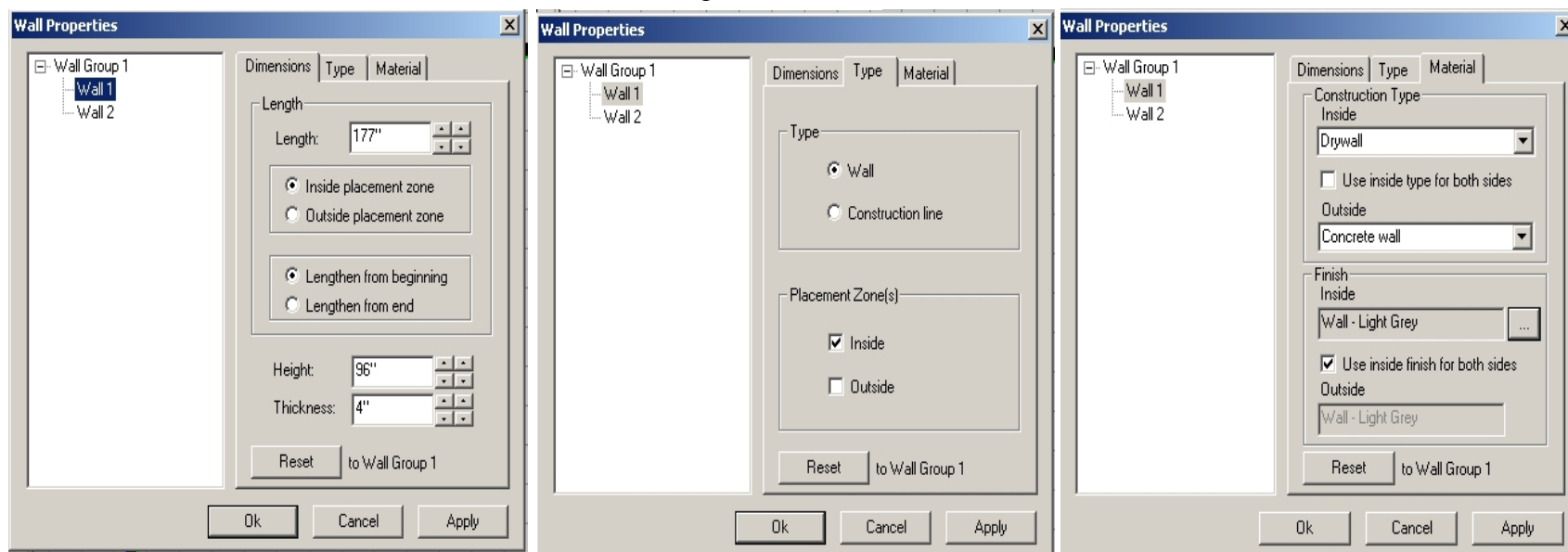
Placing an item on the work area   **Davis Report, Item 32**

In par. 56 Dr. Davis states that there are four ways to place an object on the work area (for example a cabinet, window, or door)

In fact there are essentially two methods: clicking the "place" menu or the icon on the "place" toolbar allows the user to see a placement dialog box (see right) and select the item from the list of folders

The second method allows the user to access the "Catalog" Panel and go through a similar process, but includes "drag and drop".

Lastly, if the user knows the name of the item, he can perform a search (similar to a Google search, but within the program to locate the product. This is available as a part of either two processes described above. Note that ProKitchen search is more powerful and allows the user to match any series of characters in the SKU of the product or in the description.

Finally, the two methods described above are very common in CAD and Interior Design programs. Revit Architecture uses "Place" dialog essentially identical to ProKitchen, to place an object onto a design. Configure CET and Pro100 use drag-and-drop from the catalog method to place a product.
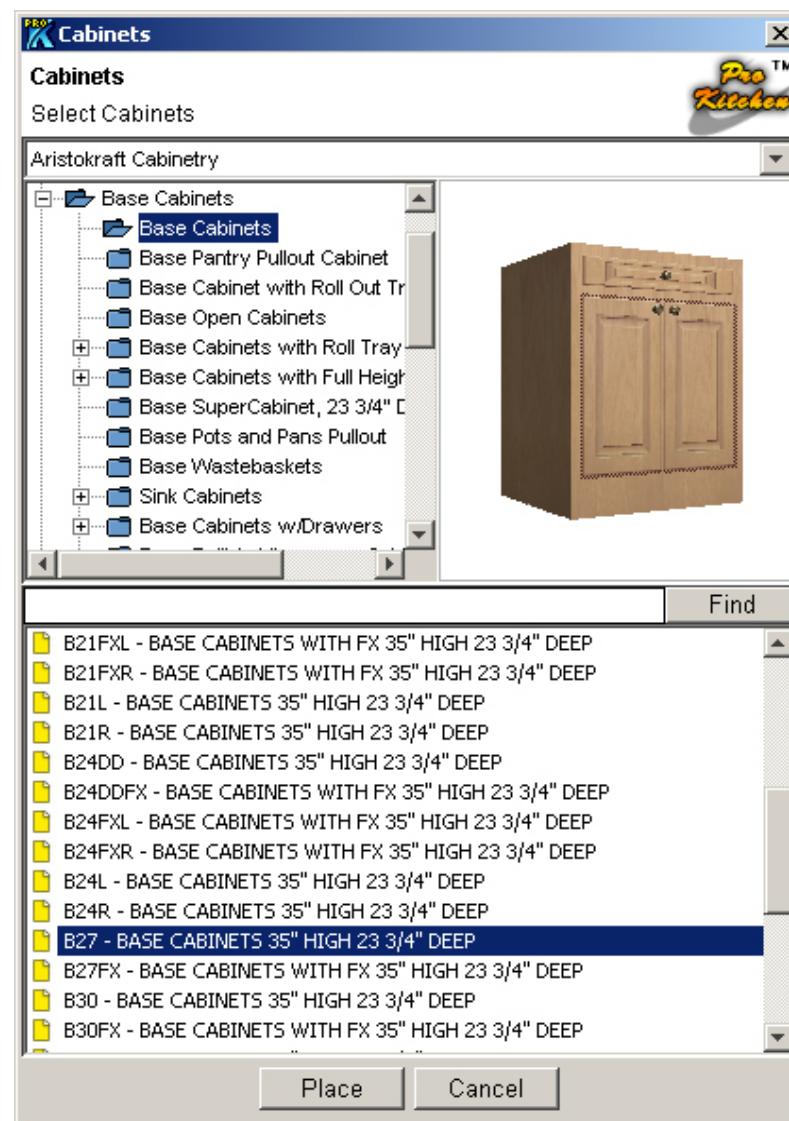
ProKitchen Place Dialog

Catalog navigation box   **Davis Report, Item 37**

ProKitchen

In paragraph 61 Dr. Davis presents the two Panels to the
right and states that "catalog navigation is … presented
similarly".

ProKitchen uses the term Catalog to refer to the catalogs
published by cabinet manufacturers while 20-20 Design uses
the term "drag and drop list".

In both programs the user may select a specific
manufacturer's cabinet to add to a kitchen plan.

All of the information in the boxes to the right reflects
cabinet data, that is the item category (base cabinet for
example) and catalog nomenclature, i.e. SKU (items B27 or
B2D15L-2, for example).

20-20 Design

Apart from this information, which is essential to the
application, the two programs take a different approach to
allowing a user to choose an item. ProKitchen, on the right,
presents a standard Windows file directory system –when the
user selects a folder, the items in that folder are displayed in
the box below.

20-20 Design does not use a Windows directory approach,
but provides a list of categories. When a user selects a
category, the items in the category are displayed below.
Both programs allow the user to locate an item but take
different approaches to do so.
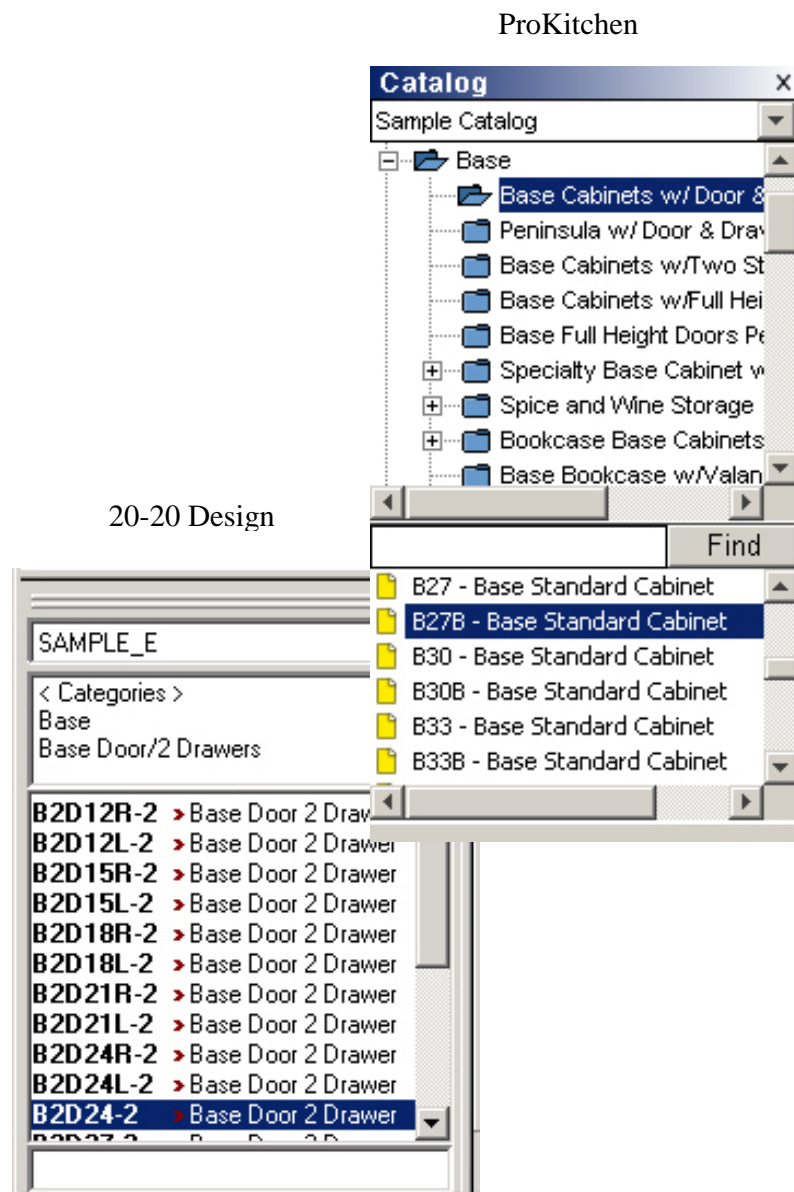
Edit box for placing an item   **Davis Report, Item 39**

20-20

Dr Davis presents the two menus shown on the right, and states that an item "can be placed using the mouse or the edit box".

It is common in the Windows graphical interface to allow users to use the mouse to "drag and drop" an item into the screen, and many modern interior design programs include this feature.

Typically, once an item is placed by the mouse, the user will "fine tune" its placement using the screens to the right. The menus are different in appearance, but allow the user to move the item on the room plan. It is a pure functional element of the program.

Name:	Value
Wall left	116 1/2"
Center	122 1/2"
Wall right	98 1/2"

ProKitchen

Edit	X
Left:	76 1/4"
Center :	91 1/4"
Right :	59 1/16"

Context menu for cabinets and other objects   **Davis Report, Item 40**

In paragraph 64 Dr. Davis presents the two menus displayed at right. These menus appear after the user selects an item (a cabinet) and clicks the right mouse button. The user is presented with a menu list of choices.

Dr. Davis states that Delete and Duplicate/copy are routine Windows items.

However most of the remaining items are routine in interior design software. From the ProKitchen menu, the following items are routine functions

Drag
Move
Rotate
In/Out
Up/Down
Position **
Fit **
Stack **
Copy **
Replace **
Attributes

The items in bold with a double asterisk beside them in the above list are not in the 20-20 Design menu.

20-20

ProKitchen
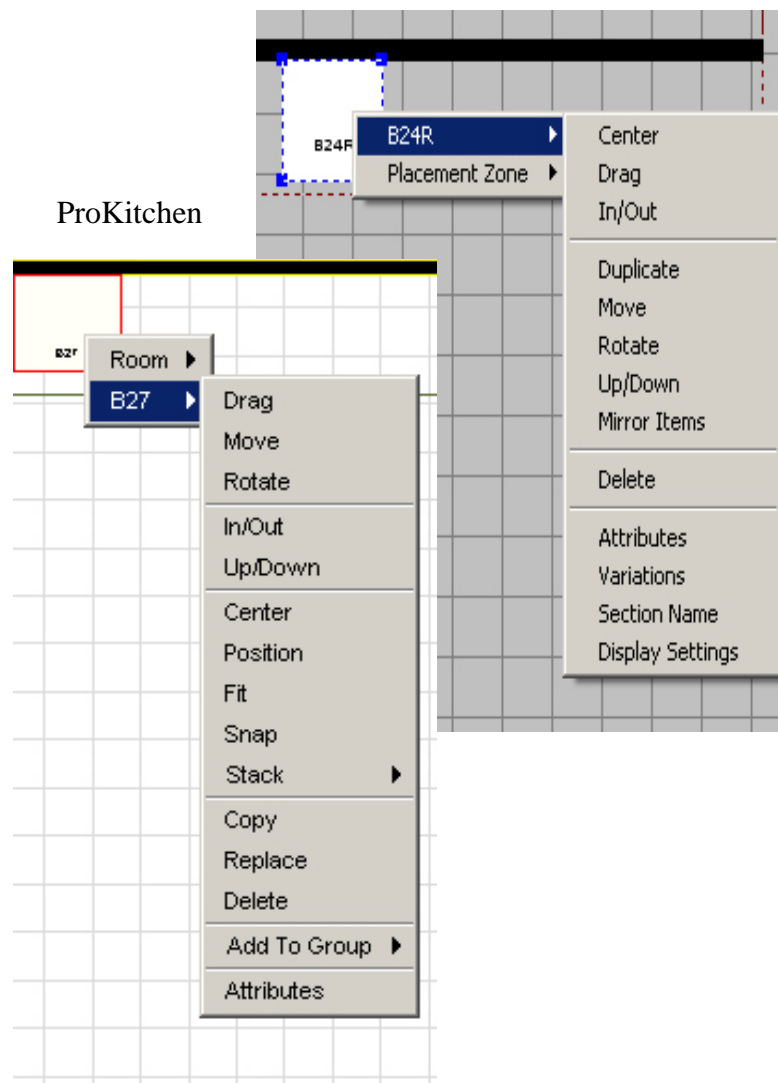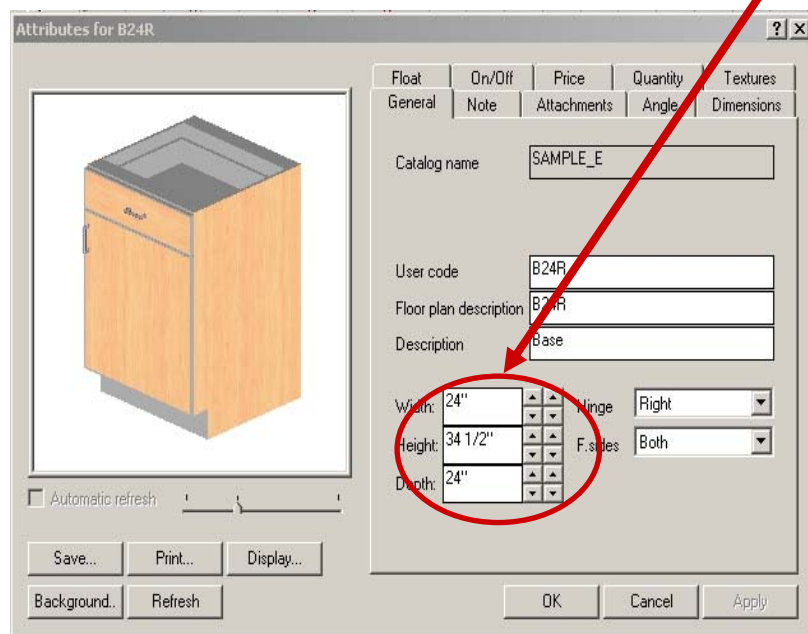
Attributes menu   **Davis Report, Item 41**

The dialog boxes below allow the user to change the attributes of an item (a cabinet). In paragraph 65 Dr Davis asserts that there are similarities between these boxes.
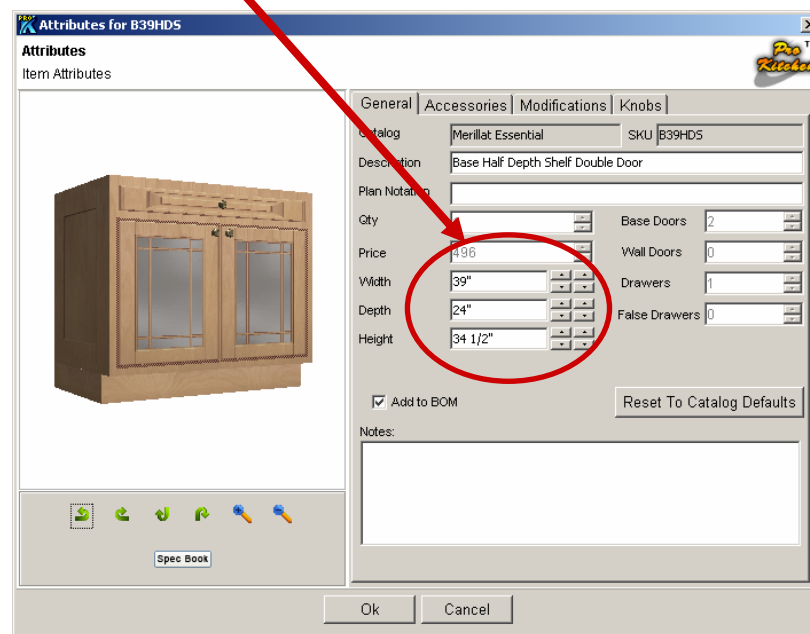
As can be seen, apart from enabling the user to change the basic parameters of the item (width, height, and depth) the two boxes are dissimilar.
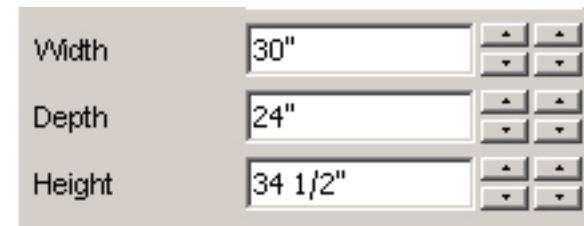
The two areas circled in red are discussed in the next page.

20-20 Design   ProKitchen

Size control interface   **Davis Report, Item 42**

ProKitchen Size Controls

Dr. Davis shows this close up (right) of the
ProKitchen attributes menu that allows users to
increase or decrease the width/height/depth of an
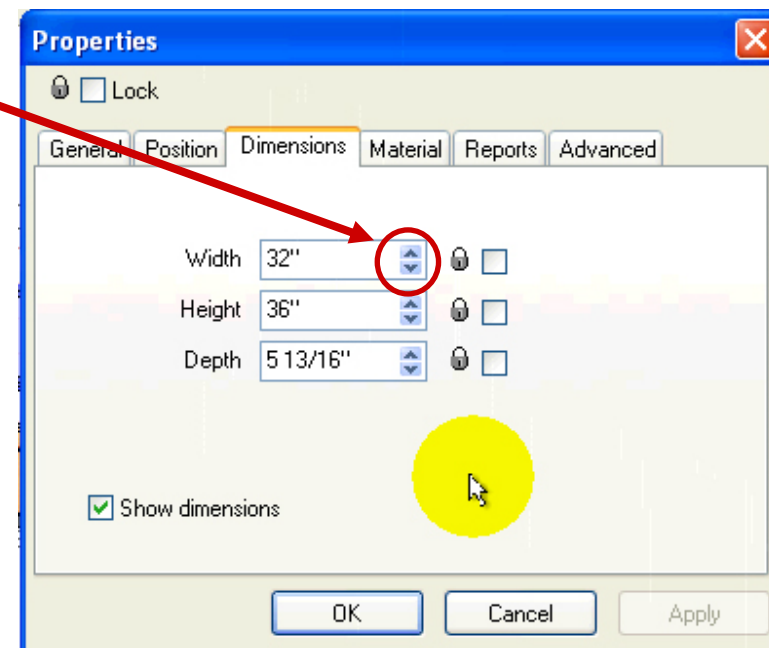item, and asserts that this component of both boxes
is identical

Pro100 Product Properties Dialog

It is a standard feature in Windows program to
provide the user a mechanism for changing sizes
with mouse clicks instead of typing new
dimensions. The screen shot to the right is from
the Pro100 design program, which use the same
"with/height/depth" controls, with up arrows and
down arrows, to control the size of objects.

**Note feature with "tag" number**   **Davis Report, Item 43**

In paragraph 66 Dr. Davis does not assert that Real View improperly copied the 20-20 Design when it included a feature that permits a user to add a comment to an item. The "comment" feature is standard in most Windows programs, including Microsoft Word and Microsoft Excel. Dr. Davis suggests that Real View engaged in improper copying when it created a feature allowing a user to add a tag number to each comment.

Tags are a common concept and a feature in many graphics programs such as Revit Architecture, Microsoft Visio and others. These programs allow the user to add tags to objects on the screen, including notes and objects.

20-20 Design   ProKitchen
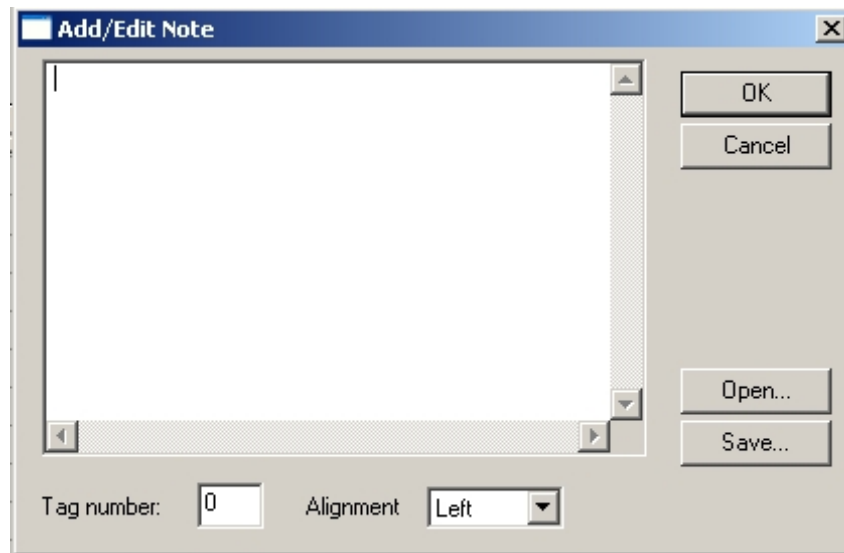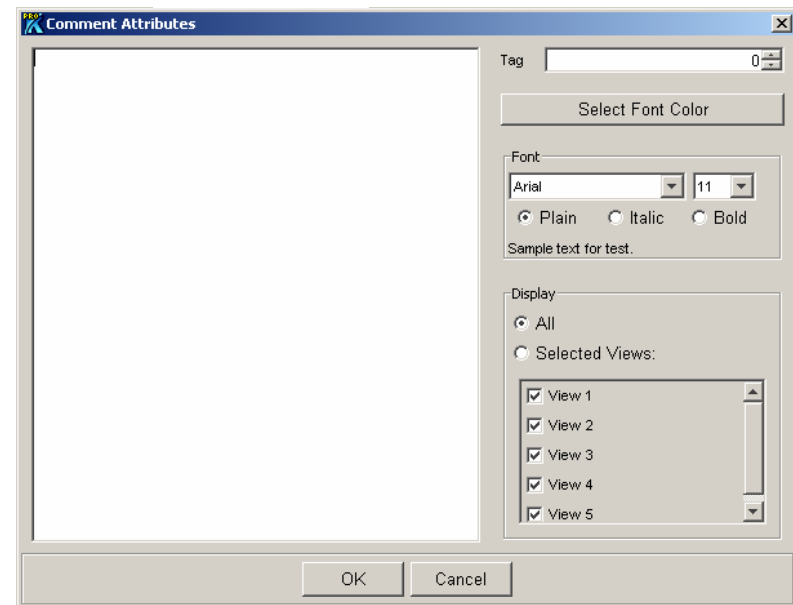
Bill of Materials (BOM) interface – choice of nomenclature   Davis Report, Item 44

It is standard in a design program to show a Bill of Materials. This takes a form of a report that lists all items included in the design and related information such as description, price, manufacturer, and other pertinent information.

This page shows the Bill of Materials from ProKitchen while the Bill of Materials for 20-20 Design is shown on the next page. Catalog, SKU, Description, Price are standard parts of a Bill of Materials. Apart from showing similar information related to cabinetry products, these two panels are clearly different. In addition, the ProKitchen BOM panel provides an array of features that are not available in 20-20 Design. For example, the user can manipulate products in ProKitchen BOM panel (change order, copy, delete, get products Attributes, etc) while 20-20 Design does not have these features.

ProKitchen Bill of Materials Panel

#	...	Catalog	SKU	Description	Width	Height	Depth	...	Hinge	Price	Ext.Price
1	1	Merillat Esse...	B39HDS	Base Half Depth Shelf Dou...	39"	34 1/2"	24"			496.00	496.00
2	1	Merillat Esse...	BD421	Base Drawer Cabinets - Fo...	21"	34 1/2"	24"			404.00	404.00
3	1	Merillat Esse...	W3930	Wall Cabinet Double Door ...	39"	30"	12"			363.00	363.00
4	1	Merillat Esse...	W2130L	Wall Single Door 30" High	21"	30"	12"		L	256.00	256.00
5	1	Aristokraft ...	W1842R	WALL CABINETS 42" HIGH...	18"	42"	12"		R	379.00	379.00
...	1	Aristokraft ...	SPECIAL	Special Modification	0"	0"	0"			0.00	0.00
...	1	Aristokraft ...	WSS36-EA	Wall System Shelf {Ea.}	0"	0"	0"			210.00	210.00
6	1	Aristokraft ...	W3030	WALL CABINETS 30" HIGH...	30"	30"	12"			387.00	387.00
...	1	Aristokraft ...	SPECIAL	Special Modification	0"	0"	0"			0.00	0.00
...	1	Aristokraft ...	PR18	Plate Rack	0"	0"	0"			152.00	152.00
7	1	Merillat Mast...	W3021	Wall Standard 21"H	30"	21"	14"			0.00	0.00

Bill of Materials (BOM) interface – choice of nomenclature   **Davis Report, Item 44**

20-20 Design, Bill of Materials Panel

	Plan Items						
	Qty	Catalog	User Code	Description	Finished Side	Note	Price
1	1	SAMPLE_E	B24R	Base	Left	☐	$291.00
2	1	SAMPLE_E	B24R	Base	None	☐	$291.00
3	1	SAMPLE_E	B24R	Base	Right	☐	$291.00
						Total selected items:	$291.00
						Total price:	$873.00

	Non-Plan Items						
	Qty	Catalog	User Code	Description	Finished Side	Note	Price
	1	SAMPLE_E ▼	▼		None ▼		
						Total selected items:	$0.00
						Total price:	$0.00

Graphic Items ╲ Calculated Items ╲ Accessories ╲ Notes ╱

Styles and Pricing Interface   **Davis Report, Item 45**

When ordering kitchen cabinets the purchaser must specify cabinetry options defined by the manufacturer such as door style, type of wood, finish, and so forth. In paragraph 68 Dr. Davis asserts that "the Style and Pricing interface in 20-20 [Design] is closely matched by the Global Options interface in ProKitchen." In fact there is no commonality between respective graphical interfaces apart from the fact that both programs allow the user to specify cabinetry properties. The panel used to set global options in ProKitchen is shown below while the price and style dialog box of 20-20 Design is shown on the next page.

ProKitchen Global Options Panel
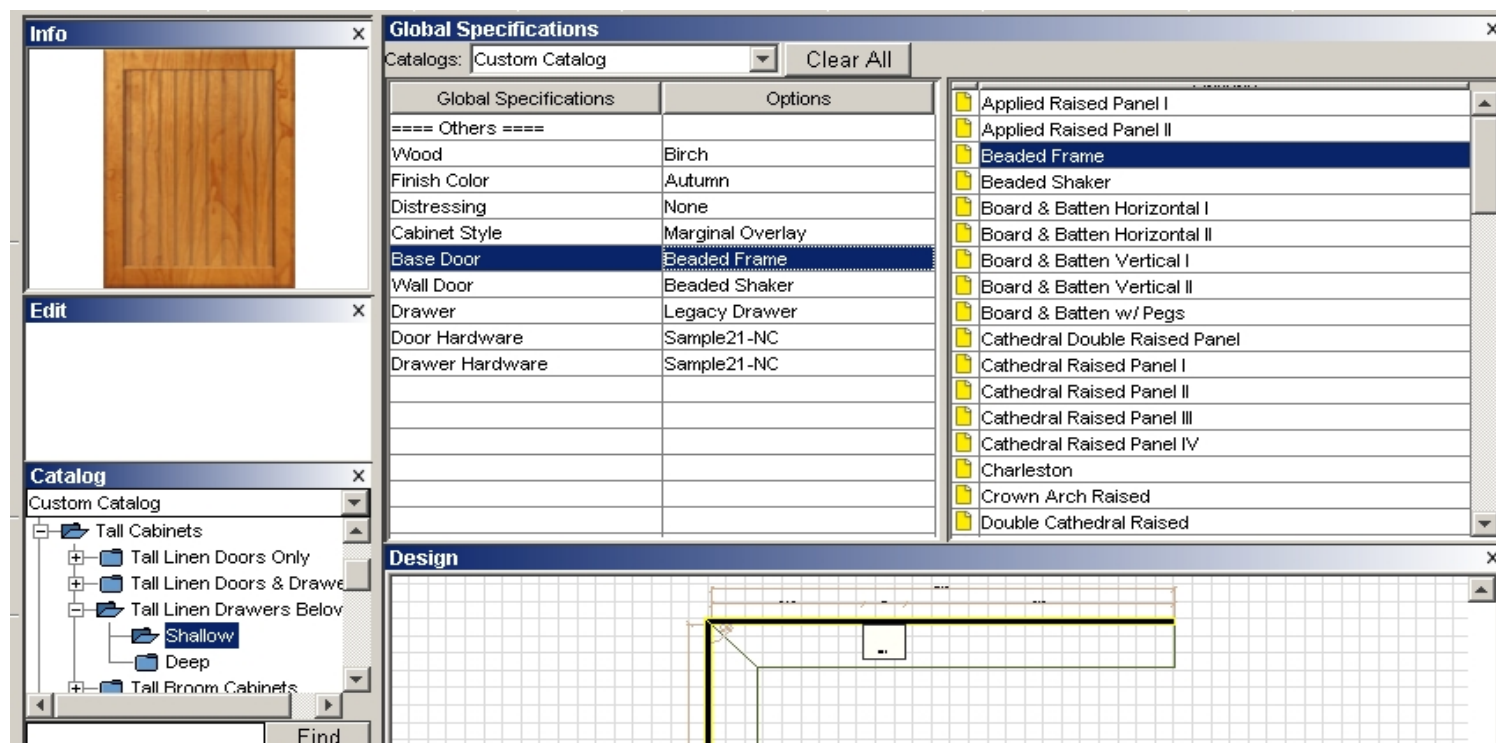
Styles and Pricing Interface   Davis Report, Item 45

20-20 Design, Style and Pricing Dialog

In paragraph 69 of the 20-20 Expert Report Dr. Davis points to similarities in the text of the "legends" of the two programs, which are as follows:

20-20 Design Version 6.1

All dimensions size designations given are subject to verification on job site and adjustment to fit job conditions.	20 20 TECHNOLOGIES	This is an original design and must not be released or copied unless applicable fee has been paid or job order placed.	Designed: 5/2/2009 Printed: 5/4/2009
Design3.kit			Fp 1	Drawing #: 1

ProKitchen 2.0

All dimensions size designations given are subject to verification on job site and adjustment to fit job conditions.	Pro Kitchen TM	This is an original design and must not be released or copied unless applicable fee has been paid or job order placed.	Designed: 06.06.07 Printed: 06.06.07
Design: Design File Name	Drawing #: 1	Display settigs 5/16" = 1'	

Davis Report, Item 46

The sentences in the first and third boxes are:

> **All dimensions size designations given are subject to verification on job site and adjustment to fit job conditions.**
>
> **---------------- and ----------------**
>
> **This is an original design and must not be released or copied unless applicable fee has been paid or job order placed.**

However, a quick Google search uncovers many examples of architectural plans with these two boilerplate sentences, none of which have copyright notices. Some examples are (sentence circled):

http://www.nkba.org/pdf/2009gehmhagen.pdf:

http://www.edpricebuilding.com/builderwire/home/contractor/CAD.pdf:

All dimensions _size designations given are subject to verification on job site and adjustment to fit job conditions.	This is an original design and must not be released or copied unless applicable fee has been paid or job order placed.	Designed: 9/21/2004 Printed: 1/10/2005
		Main Floor Plan	Drawing #: 1

http://closeout.jaecompany.com/i/productimages/layout/cabinet_73_layout.pdf

All dimensions _size designations given are subject to verification on job site and adjustment to fit job conditions.	THE JAE COMPANY	This is an original design and must not be released or copied unless applicable fee has been paid or job order placed.	Designed: 10/17/2006 Printed: 10/17/2006
#26 KraftMaid Marquette		El 1	Drawing #: 1

http://chayaerra.com/disclaimer.html

> ○ All dimensions and size designations given are subject to verification on job site and adjustment to fit job conditions
> ○ These are original/inspired design ideas and must not be released or copied unless applicable fee has been paid or job order placed

http://www.geneseo.edu/~deusy/Kitchen/kitchen%20demensions.pdf

http://tiny.cc/k3b7V

http://www.alissamortensen.com/Files/Masonic%20Hall/Masonic002.pdf

http://www.hbdesigninc.com/pdfs/MasterSamplePlan.pdf

All dimensions and sizes given are subject to verification on job site and adjustment to fit job conditions.	This is an original design and must not be released or copied unless applicable fees have been paid or job order placed.	Property of HB Design Designed 1/10/2007 Jane Regan p 3	Scale: 1/2"=1'

http://www.hbdesigninc.com/pdfs/HousePlan.pdf

All dimensions and sizes given are subject to verification on job site and adjustment to fit job conditions.	This is an original design and must not be released or copied unless applicable fees have been paid or job order placed.	Property of HB Design Inc. Designed 2-15-2007 Jane Regan	Scale ¼" = 1' All dimensions shown in inches

http://www.cabinetbidpro.com/CAD%20PDFs/GE17%20C.pdf
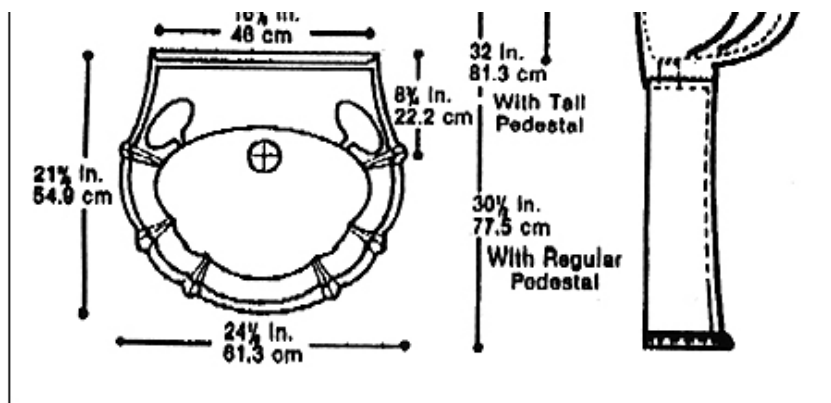
SCALE 3/16" = 1 FT. All dimensions & size designations are subject to verification on job site and adjustment to fit job condition. All drawings are for design only and are not to be used for structural purposes. This is an original design and must not be released or copied unless an applicable fee has been paid or a job order placed.	RICH STEEN DESIGN www.richsteendesign.com 208 420-9540

Davis Report, Item 46

http://www.aecinfo.com/1/resourcefile/00/24/40/marb13.htm

FLEUR-DE-LIS PEDESTAL

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Legend   **Davis Report, Item 46**

In paragraph 72 Dr. Davis incorrectly identifies the legend used in ProKitchen 3.0. The correct legend is below. Version 3.0 was released in January, 2008, and all users who were upgraded, as well as new users, now have the fallowing default legend. The user can change the text and appearance of this default title block.

ProKitchen v 3.x

All dimensions and size designations must be verified on the site to fit job conditions Client accepts these drawings as is and can use them on its own risk.	Pro Kitchen ™	Design drawings are provided for the fair use by the client or his agent in completing the project as listed within this contract	Designed: 04.17.0 Printed: 05.28.10
Design: test67_Bridgewood		Drawing #: 2	Display settigs 3/16" = 1'